

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
MARCH 3, 2014 – 3:00 PM**

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Jim Sides, Chairman
Craig Pierce, Vice-Chairman
Jon Barber, Member
Mike Caskey, Member
Chad Mitchell, Member

County Manager Gary Page, Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Sides convened the meeting at 3:00 p.m.

Commissioner Pierce provided the Invocation and also led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

- Commissioner Barber moved to add a brief discussion regarding a communications plan for West End Plaza.

Commissioner Mitchell questioned the purpose of a communications plan. Commissioner Barber responded that he would like to discuss a plan to provide the general public with an update and the means by which the Commissioners could keep citizens informed as to the progress of the West End Plaza.

Commissioner Pierce seconded and the motion passed unanimously.

Chairman Sides added the discussion as item 4a.

- Commissioner Pierce moved to add a discussion concerning the building for Carolina Avionics, the lease that had been signed and a commitment to continue to want to have the building put up. Commissioner Pierce said

he would like to have a discussion to put it out for design build as opposed to the current bids from the architect.

Commissioner Barber seconded and the motion passed unanimously.

Chairman Sides added the discussion as item 4b.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the agenda passed unanimously.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Pierce moved, Commissioner Barber seconded and the vote to approve the minutes of the January 21, 2014 – Special Meeting and February 17, 2014 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Barber moved approval of the Consent Agenda. The motion was seconded by Commissioner Pierce and passed unanimously.

The Consent Agenda consisted of the following:

- A. Self Contained Breathing Apparatus Surplus from Detention Center
- B. Authorize Department of Social Services to Apply for Robertson Foundation Grant
- C. Authorization for Cooperative Extension to Submit Grant Application to Blanche and Julian Robertson Family Foundation, Inc.
- D. West End Plaza Leases
- E. Proclamation Honoring 125th Anniversary of the Town of China Grove, NC

2. PUBLIC COMMENT PERIOD

Chairman Sides opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Becky Brisson spoke in opposition to the use of the gas chamber to euthanize animals at the Animal Shelter.
- Rachel Lambert commented regarding animals that are adopted sick at the Animal Shelter.
- Judy Klussman suggested the Board recruit local veterinarians to participate in a spay/neuter clinic at the Animal Shelter in an effort to reduce the population of unwanted animals.

- Terri Kindley thanked the Board for the proposed changes in the agenda packet. Ms. Kindley also suggested the Board involve citizens with the implementation of the changes.
- Larry Wright spoke regarding irresponsible pet owners. Mr. Wright also thanked the Board for listening to all county residents and not just a small group downtown.
- Annie Scott of Burlington spoke regarding a program that offered a reimbursement for a spay/neuter clinic.
- Angela Crowell said she was not in favor of a 100% no kill shelter, as some animals were left to suffer with a no kill shelter. Ms. Crowell also said she was in favor of everyone working together to be responsible owners.

With no one else wishing to address the Board, Chairman Sides closed the Public Comment Period.

3. PUBLIC HEARING FOR 2014-15 HOME APPLICATION

Planning and Development Director Ed Muire explained that as a member of the Cabarrus / Rowan / Iredell HOME Consortium, Rowan County anticipated receiving approximately \$124,200 in project funds for FY 2014-2015. Mr. Muire said based on the anticipated funding, the required match for participation in this program could be \$31,050 or 25% of the project funds. Mr. Muire said that in previous program years, the match was expected to be obtained from other program eligible sources. Mr. Muire explained that the County would be financially responsible for all or the remainder of the match amount should the required match not be obtained from other sources.

Mr. Muire said the County proposed to use the funding for rehabilitation assistance to 4 owner-occupied homes. Mr. Muire offered other eligible activities as new home construction, down payment assistance to first-time homebuyers, and acquisition / rehabilitation of foreclosed homes.

Chairman Sides opened the public hearing to receive citizen input regarding the FY 2014-15 HOME application. With no one wishing to address the Board, Chairman Sides closed the public hearing.

Commissioner Barber moved to adopt the FY 2014-15 Action Plan, as well as to authorize the County Manager to sign the necessary paperwork for submittal of the Action Plan. Commissioner Pierce seconded and the motion passed unanimously.

4. PROPOSAL FOR CHANGES TO EXISTING ANIMAL CONTROL OPERATIONS

Commissioner Pierce said the proposal for the changes to existing Animal control operations was not a concrete plan and there were modifications the Board would probably have to implement as the process worked forward.

Commissioner Pierce highlighted the proposal as follows:

1. Starting April 1, 2014, all animals that are subject to euthanasia should be put down by lethal injection. This policy will be continued from this date forward and shall become the standard procedure for all euthanasia by Rowan County, with the exception of animals that are aggressive until staff receives the equipment necessary to handle the animals.
2. The County will not be seeking a grant from the State Humane Society of the United States for removal of the gas chamber. The County will do this without their assistance.
3. A veterinarian will be hired to be on staff to assess the animals that are received into Animal Control and to administer all appropriate medicinal needs. All adoptable animals will be sterilized before leaving Animal Control. The cost associated with these procedures will be paid by the adoption fees, which will be adjusted according to the applied costs. A one time cost to up fit the Animal Control Center for the necessary equipment for sterilization will be added to this year's budget.
4. We are requesting the Health Department to release Animal Control from their jurisdiction and place with the County Manager. This is requested in order to streamline the operation, to allow for more direct input and to make policy changes efficiently.
5. A location in the West End Plaza will be considered and up fitted to serve as an alternate Adoption Center for the County for Animal Control. The Center will be an attractive operation for those who come to adopt the animals, as well as the volunteers to work. The County will put together procedures and policies with Animal Control staff and suggestions from volunteers as to how to make it a very fine Center.
6. With these changes to Animal Control, it is our goal to be one of the State's first No-Kill Shelters; however, this will not be immediate and will take time in the budget process to determine what the County is able to do. The County would like to get input from the volunteers, Animal Control and other counties in developing policy that would be workable.

Commissioner Pierce stated that the County Commissioners wanted to elevate Rowan County and its citizens to the highest standard of living possible. The Commissioners see this opportunity to take our County from one of the last counties to end the use of the gas chamber to one of the first to have a No-Kill shelter. Commissioner Pierce said this was but one step of many to put our County at the top in the State of North Carolina.

Commissioner Pierce moved to adopt the proposed changes as outlined. Commissioner Barber seconded.

Chairman Sides noted that the County had a good staff at the Animal Control facility and that the County went a lot further than what was required by the State when it came to Animal Control. Chairman Sides said he had asked to have a No-Kill Shelter defined and the answer he received was that only 90% of the animals adoptable would be put down. Chairman Sides said the reality was Rowan County would never be a No-Kill Shelter in that there would always be animals that had to be euthanized, such as rabid animals and feral cats. Chairman Sides pointed out that Commissioner Pierce had made some changes to the initial plan submitted in the agenda packet.

Chairman Sides reviewed the changes offered by Commissioner Pierce, which included changing the goal from April 1, 2014 to euthanize all animals by lethal injections and not seeking a grant from the Humane Society of the United States.

Chairman Sides discussed the alternate site for animal adoptions. Chairman Sides said it was a good idea to have an area away from the shelter to adopt animals. Chairman Sides said his concern was the costs up front, as well as the regulations. Chairman Sides said the alternate location would also require the State to inspect, etc. thus creating a sister shelter to what the County currently had. Chairman Sides said he wanted to take a little more time to investigate the alternate shelter.

Chairman Sides commended Commissioner Pierce for taking the initiative on the project. Chairman Sides felt the County was headed in the right direction but said the changes would have to take place over a period of time as opposed to everything at once.

Commissioner Mitchell made clear that transition of Animal Control from the Health Department to a County Administrative Department in no way reflected on the way the Board of Health or Animal Control had been functioning. Commissioner Mitchell supported moving Animal Control under the County Manager. Commissioner Mitchell discussed adoption fees and issues with requiring a spay/neuter program. Commissioner Mitchell said a No-Kill shelter had many definitions and it was not reasonable for the Rowan County Shelter to be No-Kill as the County was statutorily required to euthanize some animals. Commissioner Mitchell said he would like to see the County take the direction where no adoptable animal was euthanized. Commissioner Mitchell thanked Animal Control Staff for dealing with the pressures of their jobs, as well as for doing their jobs in the way that had been required. Commissioner Mitchell expressed hope the future new adoption center would dramatically increase adoptions.

Commissioner Barber asked the people who supported a No-Kill Shelter to stand and the majority of those in the audience stood. Commissioner Barber thanked the attendees, as well as the Board for listening to their concerns.

Upon being put to a vote, the motion on the floor passed unanimously.

ADDITIONS

4a. COMMUNICATIONS PLAN FOR WEST END PLAZA

Commissioner Barber said there had been questions about the status of various projects. Commissioner Barber asked if the Board would be consider having the County Manager give the public an update on what was being done at the West End Plaza (Plaza) at one board meeting each month, or, have an update provided in a monthly report to the Commissioners to be more specific about what was being done. Commissioner Barber said he was looking for a vehicle to facilitate a discussion with the citizens on the Plaza purchase, where the County was and where the County was going.

Chairman Sides said the County only had the Plaza for two and a half months and the first action taken was to stabilize the current leases and existing tenants. Chairman Sides said the Plaza (former Salisbury Mall) was not sought for its retail potential; however, the retail potential existed and the County was obligated to honor those leases. Chairman Sides said the County Manager had spent five (5) to six (6) weeks stabilizing the leases and figuring out the lease amounts, as well as which tenants intended to stay. Chairman Sides said there had also been two (2) to three (3) new tenants added and he commended the County Manager on an excellent job.

Chairman Sides provided an update regarding the theater at the Plaza. Chairman Sides explained that the former owner was not prepared to spend \$300,000 up fit to the building for digital. Chairman Sides said there was now someone who might be willing to come back and again use the facility as a theater.

Chairman Sides reported that County staff had been fixing lights in the parking lot and staff had been reduced at the Plaza. Chairman Sides said there had been a lot of things completed in the two and a half months that the County had owned the Plaza. Chairman Sides said updates would be given to the citizens and that the rental income would help maintain the Plaza facilities. Chairman Sides said he was working on an article that would detail exactly what was paid for the former mall and why it was a good move for the County.

Commissioner Caskey said he had no problem with the County Manager providing updates but not every month. Commissioner Caskey added there could always be town hall held meetings to receive feedback. Commissioner Caskey agreed with Chairman Sides the County was in the early stages of putting the plan together and there were real possibilities for the Plaza. Commissioner Caskey said he felt it was important for the citizens to know the good things happening at the Plaza and he would not have a problem receiving an update from the County Manager in May or June.

Commissioner Pierce said the County was moving forward with the plans to put the Board of Elections and Veterans Service Center at the Plaza and an architect was currently working on the drawings. Commissioner Pierce said he felt a monthly report would be redundant since construction projects would take four (4) to six (6) months to complete. Commissioner Pierce recommended that as a project was completed the public could be made aware by using the announcement section at Board meetings.

Chairman Sides suggested the citizens utilize the County's web site where leases, etc. pertaining to the Plaza were posted.

4b. DISCUSSION RELATED TO A BUILDING AT THE AIRPORT

Commissioner Pierce said the County had passed a lease agreement with Carolina Avionics based on a 1500 square foot building to be put on site at the Rowan County Airport. Commissioner Pierce explained that through the bid process and drawings that had been presented, the price and the building grew exponentially. Commissioner Pierce said at this point in time, the County had not been able to execute the lease or to put forth a contract to build. Commissioner Pierce said an attempt had been made to value engineer the building twice and both times it was not successful. Commissioner Pierce said it was his opinion that the County needed to put the project out for bid on a design/build basis. Commissioner Pierce said he felt this route was the only way to arrive at a construction figure that would meet the obligation for the debt service that the lease was provided to overcome.

Commissioner Pierce stated he put his recommendation in the form of a motion. The motion was seconded by Commissioner Caskey and passed unanimously.

5. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Finance - To adjust Home and Community Care Block Grant (HCCBG) based on budget revisions from NC Division of Aging and Adult Services - \$14,094
- Sheriff's Office – Recognize revenue and budget to proper expense account - \$60,000
- Finance – Budget revenue and expenditures for three new Middle School Resource Officers hired through the Sheriff's Department and funded 100% with grant funds awarded to the Rowan Salisbury School System - \$50,650
- Sheriff's Office – Recognize excess revenue in state prisoner detention fees and budget to supplies accounts for required new radio equipment and accounts that are deficient in funds needed for the rest of the fiscal year - \$35,911

- Social Services – Received additional funding for the Low Income Energy Assistance Program. Expended over half of budget with pending applications to key. Still a month and a half until the LIEAP program ends. Increase funds in the expenditure and revenue lines. No County money required - \$115,000
- Finance – Budget revenues and expenditures for Electronics Fund Distribution for FY 2014 - \$8,521

Commissioner Barber moved approval of the budget amendments as presented. The motion was seconded by Commissioner Pierce and passed unanimously.

6. CONSIDER APPROVAL OF BOARD APPOINTMENTS **THERAPEUTIC RECREATION ADVISORY BOARD**

There are four (4) vacancies and the following applications have been received:

- Ann Compton Medlin for reappointment
- Aleashia H. Brandon

The terms are for three (3) years beginning April 1, 2014 and expiring March 31, 2017.

Commissioner Mitchell nominated Ann Compton Medlin for reappointment and Aleashia Brandon. The nominations passed unanimously.

HISTORIC LANDMARKS COMMISSION

There are two (2) vacancies and the following application has been received:

- Susan Goodman Sides

The term is for three (3) years beginning February 1, 2014 and expiring January 31, 2017.

Commissioner Mitchell nominated Susan Goodman Sides and the nomination passed unanimously.

NURSING HOME ADVISORY BOARD

There are three (3) vacancies.

- Melissa Pierce has submitted an application for reappointment

The term is for three (3) years beginning March 1, 2014 and expiring February 28, 2017.

Commissioner Mitchell nominated Melissa Pierce. The nomination passed unanimously.

SALISBURY-ROWAN COMMUNITY ACTION AGENCY

- Deborah Kimball Howell has submitted an application for reappointment. The term is for two (2) years beginning April 1, 2014 and expiring March 31, 2016.

Commissioner Mitchell nominated Deborah Howell for reappointment and the nomination carried unanimously.

TOWN OF SPENCER ETJ ZONING BOARD OF ADJUSTMENT

- Jim Sain has submitted an application for consideration for reappointment. The term is for three (3) years expiring February, 2017.

Commissioner Mitchell nominated Jim Sain and the nomination passed unanimously.

7. CLOSED SESSION: ATTORNEY-CLIENT PRIVILEGED COMMUNICATION AND TO CONSIDER APPROVAL OF CLOSED SESSION MINUTES

Commissioner Pierce moved at 3:58 p.m. to enter into Closed Session in accordance with North Carolina General Statute 143-318.11(a)(3) for Attorney-Client Privileged Communication and North Carolina General Statute 143-318.11(a)(1) to consider approval of Closed Session minutes. Commissioner Mitchell seconded and the motion passed unanimously.

The Board returned to Open Session at 4:46 p.m. No action was taken.

8. ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 4:46 p.m. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Barger, CMC, NCCCC
Clerk to the Board/
Assistant to the County Manager